Leicestershire County Council

Minutes of a meeting of the Cabinet held at County Hall, Glenfield on Tuesday, 11 October 2016.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. R. Blunt CC	Mr. I. D. Ould CC
Mr. Dave Houseman MBE, CC	Mr. B. L. Pain CC
Mr. J. T. Orson JP CC	Mrs. P. Posnett CC
Mr. P. C. Osborne CC	Mr. E. F. White CC

Apologies

Mr. J. B. Rhodes CC

In attendance

Mr. G. A. Hart CC, Mr. P. G. Lewis CC and Mrs. R. Page CC

483. Minutes of the previous meeting.

The minutes of the meeting held on 16 September 2016 were taken as read, confirmed and signed.

484. Urgent Items.

There were no urgent items for consideration.

485. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mrs P. Posnett CC declared a Personal Interest which might lead to bias in agenda items 6 (Supported Living Framework 2017-2021) and 7 (Community Life Choices Framework 2017 – 2020 – outcome of Consultation on Future Delivery) as a family member used such Services and as she was Chair of Melton Mencap & Gateway. She undertook to leave the meeting during consideration of this item.

486. 2016/17 Medium Term Financial Strategy Monitoring (Period 5) and Investment Proposals.

The Cabinet considered a report of the Director of Corporate Resources which provided an update on the 2016/17 revenue budget and capital programme monitoring position and sought approval for investments in services predominantly aimed at generating future savings and in Pooled Property Investment Funds. A copy of the report, marked ‘item 4’, is filed with these minutes.

Mr Rushton CC emphasised the scale of the financial challenges faced by the Authority which had already saved £135m over the past six years and now had to save a further £100m over the next five years. He said that because the Council's financial management had been strong, it had achieved some savings early and this enabled it to invest in projects that would help achieve further savings over the longer term.

Mr Rushton confirmed that with so much uncertainty in the economy and with some areas of the Council's budget under huge pressure, particularly Children's Services, the course of action proposed in the report was necessary.

Mr Ould CC reiterated the difficult challenges faced by the Authority and in particular the growing pressures on Children's Services. In light of this, Mr Ould said that he was concerned that the Government had not enabled social care authorities to raise council tax to support Children's as well as Adult's Social Care and welcomed the proposal to write to the Government to try to address this.

RESOLVED:

(a) That the current position for the 2016/17 financial year as outlined in the report be noted;

(b) That the areas of investment set out in paragraph 45 of the report, to be funded from the projected 2016/17 revenue budget underspend, be approved;

(c) That the investment of up to £10m of the County Council's earmarked funds into a pooled property fund, or a small number of pooled property funds as the Director of Corporate Resources deems appropriate, be approved subject to the medium-term return outlook being acceptable;

(d) That the County Council write to the Chancellor of the Exchequer to draw to his attention the increasing pressures in Child Social Care and the Council's concerns that his predecessor's introduction of the Adult Social Care precept took no account of the pressures on Child Social Care.

(KEY DECISION)

REASONS FOR DECISION:

To enable the County Council to invest resources in investments which will generate future savings.

A total of around £15.6m is expected to be available from the forecast net revenue underspend released in 2015/16. Investment projects have been identified which should assist with future savings, support corporate priorities, and generate income.

Earmarked fund balances not required in the short term can be invested in to Pooled Property Investment Funds, to generate additional income.

To reflect the County Council's concerns regarding the pressures on Child Social Care.

487. <u>Unaccompanied Asylum Seeking Children National Transfer Scheme.</u>

The Cabinet considered a report of the Director of Children and Family Services which set out the implications of participating in the Unaccompanied Asylum Seeking Children (UASC) voluntary National Transfer Scheme and of proposals to disengage from the Scheme. A copy of the report, marked 'item 5', is filed with these minutes.

Members noted the comments received from Mr S. J. Galton CC, Leader of the Liberal Democrat Group, a copy of which is filed with these minutes.

Mr Ould CC said that so far only two regions had signed up to the Scheme and not all authorities in the East Midlands area were party to it due to concerns over its operation and insufficient Government funding. He explained that the needs of UASC 'allocated' to Leicestershire were complex and most remained living out of the County so as not to disrupt their current living arrangements. The cost of supporting children living out of County was approximately £300,000 per child, per year. Many UASC were, however, expected to have even greater and more complex needs given their experiences, suggesting that the costs to support them could be even higher and in any event, would be much higher than currently estimated and provided for by the Government.

Mr Ould confirmed that the Authority supported the Scheme in principle, but that it was a matter for the Government to ensure it was deliverable and to provide sufficient funding to ensure that participation in the Scheme did not result in the Authority having to cut services in other areas, particularly those for Leicestershire children, to compensate.

Mr Houseman CC said that the County Council wanted to support the Scheme but that it was up to the Government to ensure this was workable and not subsidised by local authority budgets which were already under significant pressure.

RESOLVED:

(a) That the County Council's commitment to the overarching principle of the Scheme be reaffirmed whilst recognising its responsibilities to prioritise the needs of Leicestershire children and young people;

(b) That the current Service difficulties in meeting the needs of Unaccompanied Asylum Seeking Children who have already transferred to the care of the County Council under the National Transfer Scheme be noted;

(c) That the financial, logistical and placement difficulties being experienced in relation to Unaccompanied Asylum Seeking Children be noted;

(d) That, in light of the above, it be noted that the County Council will disengage from the voluntary Scheme until such time as the Government:

- meets the full costs of placements and service provision;
- makes adjustments to the operation of the Scheme to make it practical to deliver; or
- makes participation in the Scheme mandatory;

(e) That the support of Leicestershire MPs be sought for the County Council's position.

REASONS FOR DECISION:

A grant is paid to local authorities by the Home Office in relation to the age of the unaccompanied asylum seeking child for the period in which he or she is in care. At its highest rate the grant is sufficient to meet the costs of placements (i.e. with a foster carer) but not the additional support required. At its lowest for older children the grant is insufficient to meet placement costs. The current estimated full year gross cost for supporting 70 unaccompanied asylum seeking children in Leicestershire is £4.64 million which at the present level of Government grant aid would require the County Council to contribute £2.05 million from its own resources.

The County Council's estimated costs include additional annual staffing for social workers, independent reviewing officer functions, and the support of the virtual school (a statutory requirement to promote educational achievement and positive outcomes for all children in the care of Leicestershire) all of which are legitimate costs. There has been no allowance made for any other specialist costs that may be incurred such as educational psychology and special educational needs which will be bespoke to the needs of individual children and are difficult to quantify at this time.

It is also exceptionally difficult to estimate precisely the full cost as the age and needs of the children and young people are not known and without this information, it is impossible to predict the type of care or type of placement they will require.

For children and young people transferred from the care of another authority Leicestershire will be expected to retain placements where children are settled and it is in their best interests to do. This will mean supporting placements outside Leicestershire and potentially at some distance away. At present the County Council is supporting placements in Kettering and Coventry. This creates significant and additional logistical and financial pressures and is at odds with good practice standards which require wherever possible placements to be maintained within County.

488. Supported Living Framework 2017 - 2021.

(Mrs. Posnett CC having declared a personal interest which might lead to bias, left the meeting during consideration of this and the next item).

The Cabinet considered a report of the Director of Adults and Communities which sought delegated authority for the Director to undertake the procurement of a new Supported Living Framework. A copy of the report, marked 'item 6', is filed with these minutes.

Mr Houseman CC said that the proposed new Framework would streamline services, provide a greater volume of business for supplies and achieve economies of scale for the Authority helping it to meet Medium Term Financial Strategy savings.

RESOLVED:

That the Director of Adults and Communities, in consultation with the Director of Law and Governance, be authorised to undertake the procurement of the new Supported Living Framework and to agree the award of, and terms and conditions of the Framework agreement(s) and call off conditions with suppliers for a term of four years from 1st April 2017.

(KEY DECISION)

REASONS FOR DECISION:

The current Supported Living Framework agreement expires on 31st March 2017 and a new contractual framework will be required from 1st April 2017.

The Council's Medium Term Financial Strategy 2016/17–2019/20 identified a savings requirement of £1.165 million by 2019/20 and the new framework aims to provide the structure to facilitate the delivery of these savings.

489. Community Life Choices Framework 2017-20 - Outcome of Consultation on Future Delivery.

The Cabinet considered a report of the Director of Adults and Communities which set out the findings from the consultation on proposals relating to the future delivery of Community Life Choices (CLC) services (often referred to as day services), and sought approval to implement the recommendations detailed in the report. A copy of the report, marked 'item 7', is filed with these notes.

Members noted that comments had been received from Mr Clive Hadfield, Chairman of the Family Carers subgroup of the Leicestershire Learning Disabilities Partnership Board, Clare Clarkson and Peter Warlow, Chief Executive of the Glebe House Project, copies of which are filed with these minutes.

The Director reported that the majority of responders to the consultation did not support the proposals and, as had been reflected in the comments received by the Cabinet, many were concerned that the changes would reduce the social interaction of those with learning disabilities living in residential care and that this would have a negative impact on their health and wellbeing. It had also been suggested that the proposals could put added strain on carers.

Members noted that to address these concerns, alongside the recommendations, mitigation actions had been identified. The Director said that these balanced the need to provide a more equitable service with the need to ensure that eligible service users still had their care and support needs met appropriately.

Mr Houseman CC said that implementation of the recommendations would achieve the necessary MTFS savings and ensure that support was provided more consistently. He said that those who supported the proposals felt it was wrong for the Council to fund people twice and emphasised that care homes did and would continue to provide leisure and social activities.

Mr Houseman agreed that meeting individuals' needs was a priority and confirmed that service users would be offered an individual review of their needs before changes to their CLC services were implemented, allowing for exceptions to be made which might affect the full level of savings achieved.

RESOLVED:

(a) That the outcome of the public consultation exercise, including the comments of the Adults and Communities Overview and Scrutiny Committee be noted;

(b) That the Director of Adults and Communities be authorised to:

(i) Implement Proposals A and B for the future delivery of Community Life Choices as detailed in paragraphs 32-42 of the report;

(ii) Take mitigating actions as detailed in paragraph 53 of the report in order to respond to the concerns raised during the consultation;

(iii) Agree any individual exceptions to the implementation of Proposals A and B where an individual review of needs identifies a clear likelihood of there being a significant adverse impact on the safety or wellbeing of an individual.

(KEY DECISION)

REASONS FOR DECISION:

The new delivery model will support an outcomes-based approach to commissioning; delivering a progressive model of support in line with the principles set out in the Adult Social Care Strategy 2016-20, and savings as set out in the Medium Term Financial Strategy (MTFS) 2016/17–2019/20.

A recent review of current Community Life Choices (CLC) services highlighted that the current practice for individuals in residential care to access CLC does not represent a cost-effective or equitable approach to commissioning individual support as it is not applied consistently to all service user groups. Significant concern was raised by most consultation respondents about potential negative impacts on the welfare of affected people currently living in residential care, and a range of measures to mitigate these impacts will ensure that eligible service users will still have their care and support needs met appropriately. The affected service users will all be offered an individual review of their needs before changes to their CLC services are considered.

The review identified the potential to reduce the number of weeks of CLC-commissioned services in order to deliver efficiency savings. Whilst a majority of consultation responses were not in favour of this many recognised that it would have a low impact on most service users. Where there is the likelihood of a negative impact on individual welfare exceptions will be considered for those who require alternative care during any CLC holiday closures.

Were these changes not made other measures would be needed to achieve the required MTFS savings. The consultation did not identify any alternative ways to make the required savings.

(Mrs. Posnett then returned to the meeting).

490. Government Consultation on the Shale Wealth Fund.

The Cabinet considered a report of the Chief Executive which sought approval for the County Council's response to the Government consultation on the Shale Wealth Fund. A copy of the report, marked 'item 8', is filed with these minutes.

Mr Blunt CC said that the County Council's proposed response was quite open at this early stage, although it did consider that the fund should benefit the community affected as a whole and that the County Council, or the Combined Authority, would be best placed to administer this at a strategic level to ensure lasting benefits were identified.

RESOLVED:

That the Chief Executive be authorised to respond to the Government consultation on the Shale Wealth Fund, on the basis set out in paragraphs 15 to 19 of the report.

REASONS FOR DECISION:

To respond to a Government consultation on proposals that will affect the distribution of funds from the proposed Shale Wealth Fund.

491. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

2.00 - 2.40 pm CHAIRMAN
11 October 2016